

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., July 26, 1994.

Members present: Mayor G. Michael Shelton; Vice Mayor Larry D. Brookshier; Councilwoman Joanne A. Grahame; Councilwoman Linda Kochendarfer; Councilman Payton M. Otey; Councilman Ronnie C. Rice; and Councilman W. D. Tharp.

Members absent: None.

Staff present: City Manager Jack A. Gross; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of a regular Council meeting held on July 12, 1994, were approved as distributed.

Discussion ensued regarding telephone calls received by Councilman Rice, Vice Mayor Brookshier, and Councilman Otey about the bicycle route throughout the City.

City Manager Gross stated that after a plan is developed, it is intended that the plan be presented to Council and the community at large for comments.

Vice Mayor Brookshier suggested that he and Councilman Rice meet with some of the residents voicing concerns. The City Manager stated he would accompany them.

Mayor Shelton stated that he had given Council a memorandum about Vice Mayor Brookshier organizing community and neighborhood meetings for dissemination of information to the public and receiving questions or concerns from the public.

Councilwoman Kochendarfer thanked Council for allowing her to attend the Virginia Municipal League Conference for newly elected officials.

City Manager Gross stated that there has been an on-going request for services from some of the citizens in the Ruff Drive area. Several months ago the City Manager asked the Electric Department to extend street lights onto Ruff Drive, which is a private street north of Macon Street near Abrasive Avenue. Mr. Gross indicated that at that time he learned that there were approximately seven families living on Ruff Drive who are being served by Appalachian Power Company (APCo) rather than by the City Electric Department.

The City Manager indicated that no written agreement giving APCo authority to serve these customers has been located, and the franchise with APCo states that the City has the right to serve all the customers inside the city limits.

City Manager Gross stated that APCo has made an inventory of the value of its equipment, poles, and lines in this area and has indicated a value of \$12,137. The Electric Utility Director has reviewed those figures and has found them to be appropriate. The City Manager recommended that the City consider purchasing this equipment. If this is approved, the City will notify the customers of the transition, and try to immediately install the necessary lights to serve them in accordance with the City's regular street lighting policy.

Councilman Rice moved that Council appropriate \$12,137 from the unappropriated contingency to Account No. 191979.3840 for purchase of poles and lines on Ruff Drive from Appalachian Power Company. The motion was seconded by Councilwoman Grahame.

Discussion ensued regarding the possibility of other street lighting situations such as this that exist. The City Manager stated this is being investigated and will be reported on at a future date.

The motion was then voted upon and carried unanimously by the following roll call vote:

Vice Mayor Brookshier	aye	
Councilwoman Grahame	aye	
Councilwoman Kochendarfer	aye	
Councilman Otey	aye	
Councilman Rice	aye	
Councilman Tharp	aye	Mayor Shelton
		aye

City Manager Gross stated that the City's Procurement Ordinance has been in effect since January 1, 1983. Section 4-106 dealing with small purchases, creates paper problems and increased cost, with the requirement for sealed bids for purchases over \$1,000. It is proposed that this section be amended by requiring sealed bids for purchases over \$5,000 in value. Purchases between \$1,500 and \$5,000 would be accomplished by the use of three written quotations. Telephone quotations may be used for purchases totaling between \$750 and \$1,500; and purchases under \$750 in value could be done by the department head.

Mr. Gross indicated that the proposed amendments to this section have been reviewed by the City's auditor, Jerry Firebaugh of Firebaugh & Berry, and he is in agreement with the proposed changes. The ordinance has been posted in accordance with the provisions of Section 2-30 of the City Code. The City Manager summarized the proposed changes to the ordinance and how the changes relate to the State.

On motion by Councilwoman Grahame seconded by Councilman Otey, voted upon and carried unanimously, Council waived the reading of the proposed ordinance amending the Procurement Ordinance.

On motion by Councilwoman Kochendarfer, seconded by Councilman Otey, voted upon and carried unanimously by the following roll call vote, Council adopted the ordinance amending Article 4, Section 4-106 (Small Purchases) of the Procurement Ordinance of the City of Bedford:

Councilwoman Grahame	aye
Councilwoman Kochendarfer	aye
Councilman Otey	aye
Councilman Rice	aye
Councilman Tharp	aye
Vice Mayor Brookshier	aye

The ordinance follows as adopted:

ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:

That the Procurement Ordinance of the City of Bedford adopted December 28, 1982, effective January 1, 1983, be and it is hereby is amended and re-enacted as follows:

1. That Article 4, (Section) 4-106 (Small Purchases) is hereby amended and reordained as follows:

Section 4-106 Small Purchases.

1. All purchases made by the city under the "Small Purchases Section" unless exempted by (Section) 4-107 Miscellaneous Sources, shall fall into one of the following categories:

A. Purchases under \$750 in value

B. Purchases between \$750 and \$1,500 in value

C. Purchases between \$1,500 and \$5,000 in value

2. Purchases under \$750 in value - Purchases in this group should be done solely by the department head. The \$750 applies to the total of all items purchased on an invoice. Often small purchases of this type are for routine items.

3. Purchases between \$750 and \$1,500 in value - Purchases in this group should be done primarily by the department head with assistance of the Purchasing Agent if required. The total value of all items purchased should not exceed \$1,500. For purchases of this type at least three telephone quotations are required. A telephone quotation form shall be completed listing date, item description, quantity, name of company, individual giving quotations, price, terms and delivery schedule. This form with the department head's recommendation is to serve as a requisition request and be forwarded to the Purchasing agent for approval. Once approval has been obtained the department head can proceed with the purchase.

4. Purchases between \$1,500 and \$5,000 in value - Purchases in this group should be accomplished by the use of three letter quotations. Requests for letter quotations are normally obtained by the Purchasing Agent or delegated to the Department Head.

To initiate the letter quotation, the using department should submit a completed requisition to the Purchasing Agent, including a list of at least three (3) possible vendors for approval. Once approval has been obtained the Purchasing Agent or the department head will issue the request for letter quotations by writing to vendors or by asking for written quotes from vendors by telephone. The request must specify a reply date and time and must be obtained on the vendor's letter head. This is the most desirous method of acquiring necessary items and should be used when proper planning allows sufficient time. The use of letter quotations requires adequate time for preparation, mailing or faxing, receipt and award, generally two or three weeks from receipt of requisition. All quotations received after the reply date and time are non-responsive and cannot be considered.

5.Purchases over \$5,000 in value - Purchases in this group should be accomplished by the use of formal sealed bids. A sealed bid usually will involve more detailed specifications and special conditions. An opening time and date will be set and all bids will remain sealed until that time. Bidder names will not be announced until bid opening. Sealed bids must be advertised in a local newspaper and solicitation for bids must be mailed to a minimum of three (3) possible vendors. To initiate the seal bid process, the using department should submit a completed requisition to the Purchasing Agent for approval. Once the approval has been obtained the Purchasing Agent or the department head will issue the request for sealed bids.

The City Manager stated that Council had received a memorandum from the Commonwealth of Virginia, Department of Criminal Justice Services regarding the Forfeited Asset Sharing Program, which returns to participating jurisdictions funds and property forfeited in narcotics related seizures. In order to receive the forfeited funds and property, the City must certify that they will be used for law enforcement purposes only and will not be used to supplant existing budgeted funds for law enforcement use, and that the City will maintain records of the use of the proceeds for a period of three years.

Councilman Tharp moved that Council approve the City's participation in the Forfeited Asset Sharing Program of the Department of Criminal Justice Services and authorize the execution of the Certification form. The motion was seconded by Councilwoman Kochendarfer, voted upon and carried unanimously.

On motion by Councilman Rice, seconded by Councilwoman Grahame, voted upon and carried unanimously by the following roll call vote, Council adjourned into executive session, pursuant to Section 2.1-344(a)(7), Code of Virginia of 1950, as amended, for Consultation with Legal Counsel and Staff on Consolidation Issues:

Councilwoman Kochendarfer	aye
Councilman Otey	aye
Councilman Rice	aye
Councilman Tharp	aye

Vice Mayor Brookshier	aye
Councilwoman Grahame	aye
Mayor Shelton	aye

Council adjourned into executive session at 7:56 p.m. Non-council members attending were: City Manager Gross, City Attorney Berry, and Clerk of the Council Hatcher.

Council reconvened into open session at 10:16 p.m. The Clerk of Council read aloud the following proposed resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

On motion by Councilman Tharp, seconded by Councilwoman Grahame, voted upon and carried by the following roll call vote, Council approved the resolution:

Councilman Otey	aye
Councilman Rice	aye
Councilman Tharp	aye
Vice Mayor Brookshier	aye
Councilwoman Grahame	aye
Councilwoman Kochendarfer	aye
Mayor Shelton	aye

Mayor Shelton adjourned the meeting at 10:17 p.m.